



Southeast Fishery Bulletin

National Marine Fisheries Service, Southeast Regional Office, 9721 Executive Center Drive N., St. Petersburg, FL 33702

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NOAA FISHERIES REQUESTS COMMENTS REGARDING A PROPOSAL TO LEAVE FEDERAL WATERS OFF TEXAS OPEN TO SHRIMPING FOR THE 2002 FISHING YEAR

The Gulf of Mexico Fishery Management Council (Council) requested that NOAA Fisheries suspend, for the 2002 fishing year, the Texas closure (i.e., the seasonal prohibition of shrimp trawling in Federal waters off Texas). The Council believes that keeping Federal waters open would enable fishermen to continue harvesting marketable-sized shrimp, thus increasing revenues to the shrimping industry.

NOAA Fisheries conducted an Environmental Assessment and a Regulatory Impact Review regarding the benefits and impacts of the proposed action to suspend the closure of Federal waters off Texas. Based on these evaluations, along with information provided by the public at the January 2002 Council meeting, NOAA Fisheries has published a proposed rule in the *Federal Register* to suspend, for 2002, the regulations that establish the annual closure to shrimp trawling in Federal waters off Texas from May 15 through July 15.

NOAA Fisheries is requesting public comment on the proposed rule. Comments must be received no later than 4:30 p.m. eastern time, on **April 22, 2002**. NOAA Fisheries will consider all comments received before making a final decision on whether or not to suspend the regulations that close Federal waters off Texas for the 2002 fishing year.

The public is advised that a final decision regarding the suspension may not be announced until a few days before the scheduled closure date of May 15.

Background: The Texas closure was established by regulations in 1981 to be from 30 minutes after official sunset on May 15 to 30 minutes after official sunset on July 15 each year. When implemented, the Texas closure is in conjunction with an annual closure of Texas territorial waters. The closure in Federal waters may not exceed 90

days nor be less than 45 days. Additionally, the Regional Administrator (RA) may, after determining that benefits may be increased or adverse impacts be decreased, either: (1) modify the geographical scope of the extent of the Texas closure, or (2) eliminate the Texas closure for one season. During 1986, 1987, and 1988, the RA modified the scope of the closure, only closing Federal waters out to 15 nautical miles from shore. However, the RA has never suspended the closure.

The Texas closure is not intended to provide a biological benefit to the shrimp stock, although those are ancillary benefits; the intent is to provide the industry with the opportunity to increase the value of its catch by allowing the shrimp to reach a larger more valuable size before they are harvested.

Addresses: Requests for copies of the proposed rule, environmental assessment, regulatory impact review, and initial regulatory flexibility analysis should be sent to Dr. Steve Branstetter, Southeast Regional Office, NMFS, 9721 Executive Center Drive N., St. Petersburg, FL 33702. Written comments on the proposed rule should be sent to Dr. Branstetter at the same address. Comments also may be sent via fax to 727-570-5583. Comments will not be accepted if submitted via e-mail or Internet.

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